

Notice of Allowability

Application No.

10/769,589

Examiner

Sikha Roy

Applicant(s)

KOEGLER ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/3/07.
2. ☒ The allowed claim(s) is/are 1-9,23-30 and 35-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

The Appeal Brief filed July 3, 2007 has been entered and is acknowledged by the Examiner.

Applicant's arguments, with respect to claims 23-30 have been fully considered and are persuasive. The rejection of claims 23-30 has been withdrawn.

Claims 1-9, 23-30 and 35-40 are currently pending in the instant application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven Nichols on October 12, 2007.

The application has been amended as follows:

In the Claims

Claim 1, lines 3-5 have been replaced with the following text:

--- a startup element permanently coupled to said reflector and fixed in position at a designated distance from said reflector opening for insertion of a lamp assembly, wherein said reflector and said startup element are configured to allow a replaceable coupling of the lamp assembly to said reflector assembly.-----

Art Unit: 2879

Claim 35, lines 4-9 have been replaced with the following text:

--- a startup element fixedly coupled to said reflector and fixed in position at a designated distance from said reflector opening for insertion of a lamp assembly, a support structure, separate from the lamp assembly, for fixedly coupling said startup element to said reflector, said support structure being coupled to said reflector and to said startup element to support said startup element within said reflector, wherein said startup element is configured to receive a portion of the lamp assembly that is removably coupled to said reflector assembly.----

Allowable Subject Matter

Claims 1-9, 23-30 and 35-40 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 35, the references of the Prior Art of record fails to teach or suggest a reflector assembly with the combination of the limitations as set forth in claims 1 and 35, and specifically comprising the limitation of the startup element permanently coupled to said reflector and fixed in position at a designated distance from said reflector opening for insertion of a lamp assembly, the reflector and the startup element being configured to allow a replaceable coupling of the lamp assembly to the reflector assembly.

Claims 2-9 and 36-40 are allowable for the reasons given in claim 1 and 35 because of their dependency status from claim 1 and 35 respectively.

Regarding claim 23 the prior art of record neither teaches nor suggests the method of forming a reflector assembly with all the limitations as claimed and particularly, affixing the startup element to the reflector such that the startup element is supported at a predetermined location within the reflector prior to coupling of a lamp assembly with the reflector assembly.

Claims 24-30 are allowed because of their dependency status from claim 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic

Application/Control Number: 10/769,589

Page 5

Art Unit: 2879

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sikha Roy

Sikha Roy
Primary Examiner
Art Unit 2879